

2008 Recommendation Status Report

North Carolina Study Commission on Aging
Recommendations
to the
2008 Regular Session



*Prepared by Staff for the
North Carolina Study Commission on Aging*

September 24, 2008

2008 RECOMMENDATION STATUS REPORT

RECOMMENDATION	RESULT
<p><u>Recommendation 1: Senior Center Funds</u></p> <p>The Study Commission on Aging recommends that the General Assembly appropriate an additional \$500,000, for the 2008-2009 fiscal year, to the Senior Center General Purpose Fund with the intent that it shall become part of the continuation budget.</p>	<p>In response to this recommendation, HB 2183 and SB 1642 and were introduced and both were referred to House and Senate Appropriations Committees.</p> <p>No additional funding was approved.</p>
<p><u>Recommendation 2: Additional HCCBG Funds</u></p> <p>The Study Commission on Aging recommends that the General Assembly appropriate an additional \$2,500,000 to the Department of Health and Human Services, for the 2008-2009 fiscal year, for the Home and Community Care Block Grant (HCCBG).</p>	<p>In response to this recommendation, HB 2184 and SB 1643 were introduced.</p> <p>The budget contains \$2,000,000 in additional HCCBG funding for 2008-2009.</p>
<p><u>Recommendation 3: Funds for Project C.A.R.E.</u></p> <p>The Study Commission on Aging recommends that the General Assembly appropriate \$500,000 to the Department of Health and Human Services, Division of Aging and Adult Services, for the 2008-2009 fiscal year, to fund Project C.A.R.E. (Caregiver Alternatives to Running on Empty) which provides support to individuals with dementia and their caregivers.</p>	<p>In response to this recommendation, HB 2325 and SB 1831 were introduced.</p> <p>The budget contains \$500,000 in Non-Recurring funding for Project C.A.R.E.</p>

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<p><u>Recommendation 4: Adult Protective Services Pilot Program</u></p> <p>The Study Commission on Aging recommends that the General Assembly appropriate \$1,497,087 to the Department of Health and Human Services, Division of Aging and Adult Services, for the 2008-2009 fiscal year, to enact the first year of a two-year pilot program to assess proposed changes to the adult protective services statutes and to report to the Study Commission on Aging on the evaluation of the pilot by March 1, 2010.</p>	<p>In response to this recommendation, HB 2399 and SB 1751 were introduced and referred to House and Senate Appropriations Committees.</p> <p>No funding was approved.</p>
<p><u>Recommendation 5: Statewide Aging Study</u></p> <p>The Study Commission on Aging recommends support for a comprehensive, five-year statewide study of the older adult population and the State's readiness to respond to the coming wave of older adults by recommending that the General Assembly take the following steps: establish an appointment process for a steering committee; appropriate \$175,000 to the Department of Health and Human Services, Division of Aging and Adult Services, for the establishment of two positions to support the work of the study; appropriate \$3,820,000 to the Division of Aging and Adult Services, for the 2008-2009 fiscal year, to fund the first year of the study; and direct the Department of Health and Human Services, Division of Aging and Adult Services, to make annual reports to the General Assembly on the status of the study.</p>	<p>In response to this recommendation, HB 2324 and SB 1803 were introduced. HB 2324 received a favorable report in the House Aging Committee and was referred to House Appropriations. SB 1803 was referred to the Senate Rules Committee.</p> <p>Part 9, S.L. 2008-181, provides that the NC Study Commission on Aging may study the State's Readiness to Respond to the coming Wave of Older Adults. The provision contains portions of HB 2324 and SB 1803 and provides that the Commission may report its findings and recommendations to the 2009 General Assembly.</p>

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<p><u>Recommendation 6: Adult Care Home Residents</u></p> <p>Recommendation 6a: Adult Care Home Admission Screening Process The Study Commission on Aging recommends that the General Assembly appropriate \$1,764,000, for the 2008-2009 fiscal year, to the Department of Health and Human Services, Division of Medical Assistance, to design, develop, and implement on a pilot basis, a screening process for mental health and developmental disability conditions as part of the adult care home admission process. The process shall duplicate the nursing facility admission process and shall consist of an automated screening tool and where indicated a face-to-face assessment by a mental health or developmental disabilities professional. The Division of Medical Assistance shall report on the design, development, and piloting of the screening process for mental health and developmental disability conditions as part of the adult care home admission process on or before October 15, 2008.</p> <p>Recommendation 6b: Transitional Residential Treatment Program Pilot Sites The Study Commission on Aging recommends that the General Assembly appropriate \$567,084, for 2008-2009 fiscal year, to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to fund three (3) geographically diverse Transitional Residential Treatment Program pilot sites, which shall begin in January 2009.</p> <p>Recommendation 6c: Care of Individuals with Mental Illness Training for Direct Care Workers in Adult Care Homes The Study Commission on Aging recommends that the General Assembly direct the Department of Health and Human Services, Division of Health Service Regulation, Division of Medical Assistance, and Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to work with adult care home providers to build on recent studies to determine the most appropriate and cost effective way to provide training on the care of individuals with mental illness to direct care workers in adult care homes by tailoring the training to resident assessment results and utilizing web-based formats as appropriate, and to provide an interim report to the Study Commission on Aging by November 1, 2008, and a final report by November 1, 2009.</p> <p>Recommendation 6d. Assessment and Service Plan Development for Adult Care Home Residents The Study Commission on Aging recommends that the General Assembly appropriate \$580,000, for the 2008-2009 fiscal year, to the Department of Health and Human Services, Division of Medical Assistance, to support assessment and service plan development for adult care home residents and to provide an interim report by November 1, 2008, and a final report by November 1, 2009.</p>	<p>In response to this recommendation, HB 2401 and SB 1809 were introduced and referred to Appropriations Committees.</p> <p>The budget provides \$198,846 in Recurring funding and \$1,905,648 in Non-Recurring funding to implement a mental health screening program for residents of adult care homes.</p>

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<p><u>Recommendation 7: Support for a Reward System for Adult Care Homes with High Ratings</u></p> <p>The Study Commission on Aging expresses support for the creation of a reward system for adult care homes that achieve high ratings and at the appropriate time, the Commission anticipates supporting the concepts outlined in the Department's report on S.L. 2007-544, Section 3(d).</p>	<p>No bill was needed for this recommendation.</p>
<p><u>Recommendation 8: Support for Respite Care</u></p> <p>The Study Commission on Aging recommends that the General Assembly direct the Department of Health and Human Services, Division of Aging and Adult Services, to study the adequacy of service standards and funding for group respite services, and whether opportunities exist to streamline and enhance the provision of respite services; direct the Division of Medical Assistance, Department of Health and Human Services, to study the feasibility of providing respite care as a State Plan Service, and provide a report on both issues to the Commission on Aging by November 1, 2009.</p>	<p>In response to this recommendation, HB 2398 and SB 1807 were introduced. HB 2398 passed third reading in the House and was referred to the Senate Rules Committee. SB 1807 was referred to the Senate Rules Committee.</p> <p>Part 14, S.L. 2008-181, directs the Department of Health and Human Services, Division of Aging and Adult Services to study the adequacy of service standards and funding for group respite services. The Division of Medical Assistance is required to study including respite services as part of the Medicaid State Plan. The Department is required to report on or before November 1, 2009.</p>
<p><u>Recommendation 9: Study Older Adult Hearing Loss</u></p> <p>The Study Commission on Aging recommends that the General Assembly direct the Department of Health and Human Services to study the current and anticipated impact of hearing loss on North Carolina's older adult population and the availability and access to qualified professionals for treatment and hearing aid purchase assistance for low income individuals; to develop an inventory of the technology available to assist individuals; and to evaluate resources and programs available in other states, with a report to the Study Commission on Aging by November 1, 2008.</p>	<p>In response to this recommendation, HB 2182 and SB 1644 were introduced and referred to House and Senate Rules Committees.</p> <p>Part 12, S.L. 2008-181, directs the Department of Health and Human Services to study issues relating to hearing loss in older adults in North Carolina and to present findings and recommendations to the Study Commission on Aging on or before November 1, 2009.</p>

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<p><u>Recommendation 10: Criminal Background Checks for Nursing Home Administrators</u></p> <p>The Study Commission on Aging recommends that the General Assembly enact legislation to give the North Carolina Board of Nursing Home Administrators the authority to require a criminal history record check for nursing home administrator license applicants.</p>	<p>In response to this recommendation, HB 2397 and SB 1753 were introduced.</p> <p>S.L. 2008-183 authorizes the NC State Board of Examiners for Nursing Home Administrators to obtain criminal history record checks of applicants for licensure as nursing home administrators.</p>
<p><u>Recommendation 11: Support Guardianship Study Recommendations</u></p> <p>The Study Commission on Aging recommends that the General Assembly enact legislation to authorize the Division of Motor Vehicles to consider recommendations from the clerk of court in determining drivers license revocation of an incompetent individual, and to raise the ceiling on the amount of personal property a guardian is allowed to sell without court order, which are both based on recommendations from the House Study Committee on State Guardianship Laws to the 2007 General Assembly.</p>	<p>In response to this recommendation, HB 2391 and SB 1805 were introduced. S.L. 2008-</p> <p>S.L. 2008-182 authorizes the Division of Motor Vehicles to consider recommendations from the Clerk of Court in determining whether to revoke the drivers license of a person adjudicated incompetent under the guardianship laws.</p> <p>Also in response to this recommendation, HB 2390 and SB 1750 were introduced.</p> <p>S.L. 2008-87 raises the ceiling on the total amount of personal property a guardian is allowed to sell without a court order under the laws pertaining to guardianship.</p>
<p><u>Recommendation 12: Study Safe Transport of Passengers in Wheelchairs</u></p> <p>The Study Commission on Aging recommends that the General Assembly enact House Bill 93, Transport of Individuals in Wheelchairs Study, as it directs the Department of Transportation to study appropriate methods of transporting passengers seated in wheelchairs, to develop guidelines for the installation and use of wheelchair tie-down systems, and to report findings and recommendations to the Study Commission on Aging and the Joint Legislative Transportation Oversight Committee.</p>	<p>S.L. 2008-121 directs the Department of Transportation to study issues relating to individuals being transported in vehicles while seated in wheelchairs and report to the Study Commission on Aging and the Joint Legislative Transportation Oversight Committee by February 1, 2009.</p>

<p>Recommendation 13: Study Medically Needy Income Standard</p> <p>The Study Commission on Aging recommends that the General Assembly enact House Bill 92, Medicaid Income Limits Level Study, as it requires the Department of Health and Human Services, Division of Medical Assistance, to study the medically needy income standard and determine the best method of increasing the standard while providing improved consistency across long-term care settings and report to the Study Commission on Aging.</p>	<p>No action was taken on HB 92 during the 2008 Session.</p>
<p>Recommendation 14: Long Term Care Insurance Tax Credit</p> <p>The Study Commission on Aging recommends that the General Assembly increase the Long-Term Care Insurance Tax Credit to 75% of the premiums paid by the purchaser up to a maximum of \$1000.</p>	<p>In response to this recommendation, HB 2404 and SB 1808 were introduced. House Bill 2404 received a favorable report in the House Aging Committee and was referred to the House Finance Committee. Senate Bill 1808 was referred to the Senate Finance Committee.</p>
<p>Recommendation 15: Establish MAHS Registration Fee/Penalty for Failing to Register</p> <p>The Study Commission on Aging recommends that the General Assembly enact legislation to require facilities meeting the definition of multiunit assisted housing with services (MAHS) register annually with the Division of Health Services Regulation, authorize the Division to charge a fee of up to \$350 per registration, and make it a Class 3 misdemeanor punishable only by fine for failing to register.</p>	<p>In response to this recommendation, HB 2409 and SB 1804 were introduced.</p> <p>S.L. 2008-166 requires Multiunit Assisted Housing with Services (MAHS) programs to register annually with the Division of Health Service Regulation and authorizes the Department of Health and Human Services establishes registration fees and a schedule of fines for failure to register.</p>
<p>Recommendation 16: Special Assistance Income Disregard Study</p> <p>The Study Commission on Aging recommends the Department of Health and Human Services, Division of Aging and Adult Services, and Division of Medical Assistance, study whether North Carolina can implement an income disregard policy for current Special Assistance and Medicaid recipients who are adversely impacted due to cost of living or other income increases.</p>	<p>In response to this recommendation, HB 2410 and SB 1811 were introduced.</p> <p>S.L. 2008-161 directs the Department of Health and Human Services, Division of Aging and Adult Services and Division of Medical Assistance, to study implementation of an income disregard policy for current State/County Special Assistance and Medicaid recipients who are adversely impacted due to Cost of Living or other income increases.</p> <p>(Note: S.L. 2008-184 pertaining to this issue was also enacted.)</p>